

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<i>In re:</i>	§	
	§	CHAPTER 11
KrisJenn Ranch, LLC,	§	
	§	
<i>Debtor</i>	§	CASE No. 20-50805
	§	
	§	

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KrisJenn Ranch, LLC, KrisJenn Ranch, LLC-Series Uvalde Ranch, and KrisJenn Ranch, LLC-Series Pipeline ROW, as successors in interest to Black Duck Properties, LLC,	§	
	§	
	§	
	§	
<i>Plaintiffs,</i>	§	ADVERSARY No. 20-05027
	§	
v.	§	
	§	
DMA Properties, Inc., Frank Daniel Moore, and Longbranch Energy, LP,	§	
	§	
<i>Defendants.</i>	§	

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DMA Properties, Inc., Frank Daniel Moore, and Longbranch Energy, LP,	§	
	§	
	§	
<i>Counterplaintiffs,</i>	§	
	§	
v.	§	
	§	
KrisJenn Ranch, LLC, KrisJenn Ranch, LLC-Series Uvalde Ranch, and KrisJenn Ranch, LLC-Series Pipeline ROW, Black Duck Properties, LLC, Larry Wright,	§	ADVERSARY No. 20-05027
	§	
<i>Counterdefendants.</i>	§	
	§	
	§	

**LONGBRANCH, DMA, AND MOORE'S RESPONSE  
TO KRISJENN AND WRIGHT'S MOTION FOR LEAVE**

Longbranch, DMA, and Moore do not believe that KrisJenn and Wright have exercised diligence in preparing and serving their pretrial filings in this case. Thus far, KrisJenn and Wright (1) served their proposed pretrial order a week late; (2) failed to confer on the proposed pretrial order submitted by Longbranch, DMA, and Moore; and (3) missed the deadline to file their findings of facts and conclusions of law.

Now, KrisJenn has filed a motion with four pages of excuses, claiming that “ongoing discovery issues have made it virtually impossible to prepare a filing that contained accurate information.” These thin discovery excuses lack merit, and problematically, this is not the first time that KrisJenn has used this strategy to try and seek relief from the Court.

Most recently, KrisJenn appeared before the Court on December 22 and argued that a small number of text messages—that were timely produced in response to KrisJenn’s own, extremely belated discovery requests—constituted a “treasure trove” of relevant information that merited redeposing Frank Daniel Moore. After the Court agreed and allowed KrisJenn to take a second deposition of Moore for the sole purpose of asking Moore about the “treasure trove” of text messages, KrisJenn did not ask Moore *a single question* about any of the produced text messages—even though those text messages were the sole reason for allowing the deposition in the first place.

Unlike KrisJenn, Longbranch, DMA, and Moore believe this case should be tried on the merits. Correspondingly—and despite KrisJenn’s repeated attempts to confuse this case through handwaving about discovery—Longbranch, DMA, and Moore do not oppose KrisJenn and Wright’s motion for leave to belatedly file their proposed findings of fact and conclusions of law.

Respectfully submitted,

/s/ Christopher S. Johns

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### CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2021 a true and correct copy of the foregoing document was transmitted to each of the parties via the Court's electronic transmission facilities and/or via electronic mail as noted below. For those parties not registered to receive electronic service, a true and correct copy of the foregoing document was served by United States Mail, first class, postage prepaid, at the address noted below.

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